



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Thomas M. Gray, M.S., DABT
API Technical Manager, Petroleum HPV Testing Group
The American Petroleum Institute
1220 L Street, N.W.
Washington, DC 20005

Dear Mr. Gray:

Thank you for the letter of May 4, 2005, from the American Petroleum Institute (API) to the Administrator, U. S. Environmental Protection Agency (EPA), regarding EPA's High Production Volume (HPV) Challenge Program.

Your company's letter advises EPA that the API Petroleum HPV Testing Group is withdrawing its sponsorship of three substances from the Reclaimed Substances categories:

| | |
|--------------------|--|
| CAS No. 61790-13-4 | Naphthenic acids, sodium salts |
| CAS No. 68334-01-0 | Disulfides, alkylaryl dialkyl, petroleum refinery spent caustic oxidation products |
| CAS No. 68513-62-2 | Disulfides, C5-12-alkyl |

The letter states that Naphthenic acids, sodium salts (CAS No. 06190-13-4) was reported under the Toxic Substance Control Act (TSCA) Inventory Update Rule (IUR) in error and an amendment to the IUR was forwarded to EPA. API's letter also indicates that Disulfides, alkylaryl dialkyl, petroleum refinery spent caustic oxidation products (CAS No. 68334-01-0) will not be manufactured by members of the Petroleum HPV Testing Group after 2005. Finally, API's correspondence mentions that Disulfides, C5-12-alkyl (CAS No. 68513-62-2) was also reported in error by Testing Group members under the IUR.

EPA will post API's correspondence to the Chemical Right-to-Know (ChemRTK) website (www.epa.gov/chemrtk) as soon as possible to advise the public of the withdrawal of the API Petroleum HPV Testing Group's sponsorship of these three chemicals. While EPA acknowledges the withdrawal of your group's sponsorship, please note that these three substances will remain on the HPV Chemicals List and will become unsponsored or "orphan" chemicals under the HPV Challenge Program. These chemicals will remain on the List and be considered orphan chemicals since none of the substances currently meet the "no longer HPV" criteria as outlined in EPA's draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program (posted at www.epa.gov/chemrtk/guidocs.htm).

Specifically, one prerequisite for removing a chemical from the HPV Challenge Program is that the substance does not meet IUR reporting requirements for the two most recent reporting years (i.e., 1998 and 2002). Based on our review of IUR reporting data for those years, including any amendments submitted, EPA has determined that the three chemicals in question **do not meet** the no longer HPV criteria. Although your group members may have reported Naphthenic acids, sodium salts (CAS No. 61790-13-4) and Disulfides, C5-C12 alkyl (CAS No. 68513-62-2) in error and subsequently amended their IUR records, there are still reporters listed for these chemicals in HPV volume for the 1998 or 2002 reporting periods. Therefore, the two substances will remain on the HPV Chemicals List and become orphan chemicals. However, if Testing Group members submitted IUR amendments that were accepted by the Agency that indicated your members neither manufactured nor imported these chemicals in 1998 and 2002, the member companies would not have responsibility for the chemicals under the HPV Challenge Program. While manufacturing of Disulfides, alkylaryl dialkyl, petroleum refinery spent caustic oxidation products (CAS No. 68334-01-0) by members of the API Petroleum HPV Testing Group will cease after 2005, this chemical was reported in HPV volume in the 1998 and 2002 IUR reporting periods by a group member. Therefore, this substance will remain on the HPV Chemicals List, and its status will be changed to an orphan chemical.

We will post API's letter, accompanied by our reply, on the ChemRTK website. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-8176. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via email at tsc-hotline@epa.gov.

Sincerely,

Jim Willis, Director
Chemical Control Division

cc: AR-201